

**AGENDA:** January 14, 2003

**7.1**

**CATEGORY:** New Business

**DEPT.:** Community Services

**TITLE:** Park Land Dedication In-Lieu Fee  
Commitments, FY 2001-02

### **RECOMMENDATION**

1. Commit park land dedication in-lieu fees received during Fiscal Year 2001-02 in the amount of \$1,020,256 to the projects highlighted on Attachment 1 of the staff report.
2. Transfer remaining balances from completed Capital Improvement Program (CIP) projects to open projects as follows:
  - a. \$745 from Wyandotte-Reinert Landscape Improvement (CIP Project 99-51) to Sierra Vista Park Design (Project 04-32);
  - b. \$6,804 from Pioneer Park Renovation (Projects 99-19 and 00-18) to Open Space Acquisition, North California/Central Area (Project 01-26); and
  - c. \$904 from Hetch-Hetchy Trail Feasibility Study (Project 01-41) to Devonshire Park Acquisition and Development (US-6).
3. Confirm the transfer of \$103,741 from Landels Rest Room (Project 05-20) to Landels School/Stevens Creek Pathway Extension (Project 03-33) as follows:
  - a. \$75,742 received from 114-120 Orchard Avenue;
  - b. \$8,364 received from 949 Jackson Street; and
  - c. \$19,635 received from 939 West Dana Street.

### **FISCAL IMPACT**

Approval of these recommendations would commit \$1,020,256 of park land dedication in-lieu fees for specific park projects and may allow certain projects to proceed at a more accelerated pace.

In addition, in-lieu funds in the amount of \$8,453 would be transferred from closed capital improvement projects to other open projects, and in-lieu funds in the amount of \$103,741 would be transferred from CIP Project 05-20 to CIP Project 03-33.

### **BACKGROUND AND ANALYSIS**

On March 25, 1997, the City Council adopted a resolution establishing a policy for prioritizing the use of park land dedication in-lieu fees and a process for the appropriation of such fees. The resolution established neighborhood projects as a priority for receiving fees collected from developments in lieu of land dedications. Additionally, it included the Parks and Recreation Commission in the review process by providing the Commission with the responsibility of forwarding an annual recommendation to the City Council concerning where the in-lieu fees should be committed.

With this report, the Parks and Recreation Commission is forwarding recommendations for in-lieu fees received during the 2001-02 fiscal year (Parks and Recreation Commission staff report, Attachment 3).

#### **Parks and Recreation Commission Action**

The Parks and Recreation Commission reviewed staff recommendations regarding fee commitments on October 9, 2002. The Commission made several changes to the staff recommendations as noted below (meeting minutes, Attachment 4).

The Commission is particularly interested in funding park land acquisition as a higher priority over some other park improvement projects. Staff had recommended some fees received from projects in the Central Avenue and Sylvan Avenue-Dale Avenue planning areas be applied towards a new rest room project and a possible reconfiguration of the trail adjacent to Dana Street. Instead, the Commission is recommending that these fees (166-174 Centre Street, 821 Moraga Avenue, 400 Dana Street and 322 View Street) be applied towards the acquisition of a mini-park site in the Central Planning Area, north of California Street between Shoreline Boulevard and Escuela Avenue.

Following the Commission's review and recommendations to the Council, staff learned of an urgent project at McKelvey Park. The light poles at the ball field were recently inspected, and it was discovered that one of the poles is unsafe and needs to be replaced as soon as possible. Since there is in-lieu money available from the neighborhood, staff is recommending that \$10,000 received from 399 El Camino Real be committed to this light pole replacement project. This would reduce the total amount the Commission recommended be committed to the Bubba Park Rest Room project from \$216,000 to \$206,000. This change is reflected in the recommendations detailed in Attachment 1.

Landels School/Stevens Creek Pathway Extension

As part of the FY 2002-03 Capital Improvement Program adopted by the Council on May 28, 2002, in-lieu fees in the amount of \$103,741 were recommended to be transferred to a new project (CIP 03-33) to install a path and related trail fencing from the vicinity of the existing path west along the south side of Landels Park to Frances Way (Attachment 5). The Council should have been made aware at that time that this action would transfer in-lieu fees that had been previously designated by the Council to the future Landels Rest Room project as follows: 114-120 Orchard Avenue in the amount of \$75,742.00; 949 Jackson Street in the amount of \$8,364; and 939 West Dana Street in the amount of \$19,635. The Council is asked to formally implement these transfers at this time.

**SUMMARY**

Park land dedication in-lieu fees are collected from developers and subdividers as a mechanism to offset impacts from new developments on existing parks and open space facilities in the community. The funds are used to acquire land for parks and to fund improvements to park, recreation and open space areas. The in-lieu fees collected at the time of final map approval are presented to the Parks and Recreation Commission at least annually for the purpose of recommending to the City Council how the fees should be committed.

**ALTERNATIVES**

The Council may choose to commit fees to projects other than those recommended by the Parks and Recreation Commission. All projects located within one-half and one mile of the development project from which fees were received are indicated on the table in Attachment 2.

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**PUBLIC NOTICING**—Agenda posting.

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LT/4/CAM  
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- Attachments:
1. Fiscal Year 2001-02 Park Land Dedication In-Lieu Fee Recommendations
  2. Projects Within One-Half Mile and One Mile Radius
  3. Parks and Recreation Commission Staff Report dated October 3, 2002, with Attachments
  4. Minutes of October 9, 2002 Parks and Recreation Commission Meeting
  5. Memo to Kevin C. Duggan from David A. Muela, dated May 17, 2002